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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,844	11/04/2003	W. James Jackson	7969-096	3069
20583	7590	06/22/2006	EXAMINER	
JONES DAY 222 EAST 41ST ST NEW YORK, NY 10017			BASKAR, PADMAVATHI	
			ART UNIT	PAPER NUMBER

1645

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/701,844

Applicant(s)

JACKSON ET AL.

Examiner

Padmavathi v. Baskar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/30/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-28 is/are pending in the application.
- 4a) Of the above claim(s) 28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26 and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/04/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The response to restriction requirement filed on 3/ 30/06 is acknowledged.

Election/Restriction

2. Applicant provisionally elected with traverse group 1, claims 26 and 27, drawn to an antibody or a monoclonal antibody that specifically binds to a Chlamydia HMW protein encoded by nucleic acid SEQ. ID. NO: 1 or corresponding polypeptide SEQ ID. NO: 2 for prosecution in this application.

The traversal is on the grounds that no serious burden would be placed on the Examiner to examine all of the claims since any reference that discloses the Chlamydia proteins would necessarily also need to disclose the potential uses of proteins having immunogenic polypeptides. It is also pointed out that a search for the methods of detecting Chlamydia in a test sample would by necessity encompass a search for the polypeptide HMW proteins and antibodies thereto. Therefore, antibodies and the methods of use comprising the immunogenic polypeptides are not independently distinct and as such, a restriction requirement is not proper (see MPEP 806.05 (h)). Applicants also point out that the claimed Chlamydial antibodies bind to the proteins in Groups I through III, and are very closely related in structure as disclosed in Figure 6. Many antibodies drawn to the claimed Chlamydia polypeptide sequences will be cross-reactive, thus a search of one of these Groups 1 through III will inherently encompass most or all of the searching necessary for the other groups.

The examiner disagrees because the inventions Groups I-III antibodies are drawn to distinct inventions, which are related as separate products (i.e., structurally different and distinct antibodies that bind o structurally different proteins as evidenced by their sequence identification numbers) capable of separate manufacture, use, or sale as

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described in the previous Office Action. Restrictions between the inventions are deemed to be proper for the reasons previously set forth.

In regard to burden of search and examination, MPEP 803 states that a burden can be shown if the examiner shows either separate classification, different field of search or separate status in the art. In the instant case a burden has been established in showing that the inventions of the Groups are classified separately necessitating different searches of issued U.S. Patents. However, classification of subject matter is merely one indication of the burdensome nature of search. The literature search, particularly relevant in this art, is not co-extensive, because, for example, search and examination issues for antibodies are different and would not encompass polypeptide. Additionally, applicants arguments that antibodies cross react with polypeptides and are similar to polypeptides are not correct because all cars (Various models/types of cars) run the same way and are made up of similar parts such as doors, seats, break etc but each car is patentably distinct based on the type, model and function of the car. Similarly antibodies and polypeptides are different to each other in structure and function. Applicant is advised to amend the claims to elected invention SEQ.ID.NO: 1 and SEQ.ID.NO: 2.

Status of claims

3. Claims 1-25 are canceled.

Claims 26-28 are pending in the application.

Claims 26-27 are under examination.

Applicant is advised to limit the claims to elected invention, polypeptide encoded by nucleic acid SEQ.ID.NO: 1 and corresponding SEQ.ID.NO: 2. (Not SEQ.ID.NO: 23 /15 or SEQ.ID.NO: 24/16).

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Claims 28 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected group.

Priority

4. This application 10/701,844 is a DIV of 09/612,402 07/06/2000 PAT 6,642,023 which is a DIV of 08/942,596 10/02/1997.

Information Disclosure Statement

5. The Information Disclosure Statements (IDS) filed on 11/04/03 has been reviewed and a signed copy is attached to this office action.

Drawings

6. The drawings filed on 11/04/03 are accepted by the examiner.

Specification Informalities

7. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors.

For example: Page 38 indicates the old ATCC address, which is incorrect.

NOTE THE CURRENT ATCC DEPOSITORY ADDRESS:

American Type Culture Collection, 10801 University Boulevard, Manassas, VA 20110-2209.

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim objections

8. Claims 26-27 are objected to because generally antibodies bind to polypeptides. Therefore, applicant is advised amend the claim.

Claim Rejections – 35 U.S.C. 101

9. 35 U.S.C. 101 reads as Follows

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title.

Claim 26 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The product, polypeptide as claimed, has the same characteristics as that found in nature. To overcome this rejection the Examiner suggests the amendment of the claims to include purity limitations, which would distinguish the characteristics of applicant's product from the product, as it exists in nature. It is further suggested that such limitation include the terminology "purified and isolated" (i.e. if such purity is supported in the specification) and/or a description of what applicant's protein is "free of" relative to the natural source. (see Farbenfabriken of Elberfeld Co. v. Kuehmsted, 171 Fed. 887, 890 (N.D. Ill. 1909) (text of claim at 889); Parke-Davis & Co. v. H.D. Mulford Co., 189 Fed. 95, 103, 106, 965 (S.D.N.Y. 1911) (claim 1); and In re Bergstrom, 427 F.2d 1394, 1398, 1401-1402 (CCPA 1970).

Claim Rejections - 35 USC 112, first paragraph

10. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

11. Claims 26-27 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant is referred to the interim guidelines on written description published at www.uspto.gov (O.G. published January 30, 2001). This is a written description rejection.

The claims are drawn to antibodies or monoclonal antibodies specifically bind a high molecular weight polypeptide of a Chlamydia species which antibodies are present

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in antisera raised against an immunogenic composition comprising one or more polypeptides selected from the group consisting of:

(a) isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid comprising SEQ.ID.NO: 1, 23 or 24

b) isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid comprising residues 466 to 3421 of SEQ ID NO.: 1, residues 82 to 3036 of SEQ ID NO.: 23 or residues 85 to 3039 of SEQ ID NO.: 24;

(c) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid having at least 95% sequence identity with SEQ ID NO.: 1, 23 or 24

(d) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid having at least 95% sequence identity with residues 466 to 3421 of SEQ ID NO: 1, residues 82 to 3036 of SEQ ID NO.: 23 or residues 85 to 3039 of SEQ ID NO.: 24.

(e) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid sequence which hybridizes under conditions comprising 50% formamide at 370C to a DNA to SEQ ID NO.: 1, 23 or 24 etc

(f) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid sequence which hybridizes under conditions comprising 50% formamide at 370C to a DNA to residues of SEQ ID NO.: 1, 23 or 24

(g) An isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising the amino acid sequence SEQ.ID.NO: 2 or residues of said sequence

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- (h) An isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising an amino acid sequence having at least 95% sequence identity to SEQ.ID.NO: 2 or residues of said sequence
- (i) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising fragments of SEQ.ID.NO: 2
- (j) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising the amino acid sequence SEQ.ID.NO: 15 or residues of said sequence
- (k) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising an amino acid sequence having at least 95% sequence identity to SEQ.ID.NO: 15 or residues of said sequence.
- (l) An isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising fragments of SEQ.ID.NO: 15.
- (m) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising the amino acid sequence SEQ.ID.NO: 16 or residues of said sequence.
- (n) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising an amino acid sequence having at least 95% sequence identity to SEQ.ID.NO: 16 or residues of said sequence.
- (o) an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide comprising fragments of SEQ.ID.NO: 16 or residues of said sequence.

The specification describes as part of the invention, an isolated polypeptide comprising the amino acid sequence as set forth in SEQ ID NO: 2 (1012 amino acids) or Chlamydia trachomatis L2 HMW protein encoded by nucleic acid SEQ. ID. NO: 1 (4435 nucleic acids). However, the specification does not disclose monoclonal antibodies to

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any protein. Further, variants such as isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid sequence which hybridizes under conditions with SEQ.ID.NO: 1 or an isolated high molecular weight polypeptide of a Chlamydia species, said polypeptide encoded by a nucleic acid sequence which is at least 95% identical to sequence SEQ.ID.NO: 1 or SEQ.ID.NO: 2 or fragments of said sequences SEQ.ID.NO: 1 or SEQ.ID.NO: 2 (the examiner considers these fragments/ variants and hereafter will be referred to variants) are not disclosed by this specification. Therefore, antibodies to said variants do not meet the guidelines on written description.

The specification fails to disclose any substitution, insertion or deletion or change in SEQ.ID.NO: 1 or SEQ.ID.NO: 2 to obtain a variants such as isolated polypeptide having 95% identity to SEQ.ID.NO: 1 or SEQ.ID.NO: 2 or fragments of said sequences. The specification does not describe any use of said fragments/ variants as claimed (comprising, open language) in identifying *C.trachomatis*. None of the above fragments/ variants meet the written description provision of 35 U.S.C. 112, first paragraph. *Vas-Cath Inc. v. Mahurkar*, 19 USPQ2d 1111, makes clear that "applicant must convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention. The invention is, for purposes of the 'written description' inquiry, whatever is now claimed" (See page 1117.) The specification does not "clearly allow persons of ordinary skill in the art to recognize that (he or she) invented what is claimed." (See *Vas-Cath* at page 1116).

Thus, the specification fails to teach the claimed fragments/ variants and does not satisfy the written description guidelines because an isolated polypeptide encoded by (open language) SEQ.ID.NO: 1 comprising part of sequence plus unlimited and unknown amino acids of SEQ.ID.NO: 1 or SEQ.ID.NO: 2 and an isolated polypeptide

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comprising an amino acid sequence having 95%, amino acid sequence identity to SEQ.ID.NO: 1 or SEQ.ID.NO: 2 plus unlimited and unknown amino acids would result in unknown variants without sufficient structure and completely lacking identifying characteristics such as function. Thus, fragments /variants as claimed are broader than SEQ.ID.NO: 1 or SEQ.ID.NO: 2 and do not appear to have sufficient structural characterization and lack any identifying characteristics (function). Further, inducing an immune response is not an identifying characteristic (function) of a fragment because there are many fragments with the same function in a polypeptide and such variants are not distinguishable from each other. Thus fragments /variants as claimed are uncharacterized by this specification and are not asserted to belong to any known family of proteins such as outer membrane proteins of *C.trachomatis*. The specification fails to teach the structure or relevant identifying characteristics sufficient to allow one skilled in the art to determine that the inventor had possession of the invention as claimed. Since the specification does not disclose said variants, then specification failed to disclose antibodies to said variants. Adequate written description requires more than a mere statement that it is part of the invention and reference to a potential method for making it. See *Fiers v. Revel*, 25 U5PQ2d 1601, 1606 (CAFC 1993) and *Amgen Inc V Chugai Pharmaceutical Co Ltd.*, 18 U5PQ2d 1016. One cannot describe what one has not conceived. See *Fiddes v. Baird*, 30 U5PQ2d 1481, 1483. In *Fiddes v. Baird*, claims directed to mammalian FGF's were found unpatentable due to lack of written description for the broad class.

12. Claims 26-27 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for isolated antibody or isolated monoclonal antibodies that specifically bind to a high molecular weight polypeptide of a *C. trachomatis* serovar L2 which antibodies are present in antisera raised against an

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immunogenic composition comprising the polypeptide selected from the group consisting of (a) isolated high molecular weight polypeptide of a *Chlamydia trachomatis* L2 said polypeptide encoded by the nucleic acid sequence SEQ.ID.NO:1 (b) isolated high molecular weight polypeptide of a *Chlamydia trachomatis* L2, said polypeptide comprising the amino acid sequence SEQ.ID.NO:2 does not reasonably provide enablement for antibodies or monoclonal antibodies that specifically bind to fragments/variants of said isolated polypeptide peptides.

The specification fails to provide an enabling disclosure for the full scope of claimed antibody or monoclonal antibody that specifically bind to isolated polypeptide fragments/variants SEQ.ID.NO: 1 or 2 because it fails to provide any guidance regarding how to make and use claimed antibody that bind to unknown fragments/variants.

The instant claims are evaluated for enablement based on the Wands analysis. Many of the factors regarding undue experimentation have been summarized in *In re Wands*, 858 F.2d 731, 8 USPQ2d 1400 (Fed.Circ.1988) as follows:

(1) the nature of the invention, (2) the state of the prior art, (3) the predictability or lack thereof in the art, (4) the amount of direction or guidance present, (5) the presence or absence of working examples, (6) the quantity of experimentation necessary, (7) the relative skill of those in the art, and (8) the breadth of the claims.

The nature of the disclosed invention is preparing antibodies to recombinant polypeptide from *C.trachomatis*. The invention is drawn to an isolated protein as set forth in SEQ ID NO: 2 which is encoded by nucleic acid SEQ ID NO: 1(4435 nucleic acid) from *C.trachomatis* strain L2. The specification also teaches that this full-length protein contains 1012 amino acids. The specification discloses the claimed polypeptide SEQ.ID.NO: 2 with an adjuvant could be used in a pharmaceutical composition to raise antisera to identify only *C.trachomatis* infection. However, the specification fails to

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disclose instantly claimed antibodies that bind to fragments/variants of SEQ.ID.NO: 1 or 2. The state of the art prior art in *C.trachomatis* is devoid of making or using antibodies to recombinant fragments/variants as claimed. Moreover, protein chemistry is probably one of the most unpredictable areas of biotechnology and the art teaches that the significance of any particular amino acid sequences (i.e. fragments) for different aspects of biological activity cannot be predicted a priori and must be determined empirically on a case-by-case basis (Rudinger et al, in "PEPTIDE HORMONES", edited by Parsons, J.A., University Park Press, June 1976, page1- 6). The art specifically teaches that even a single amino acid change in a protein leads to unpredictable changes in the biological activity of the protein. For example, replacement of a single lysine residue at position 118 of the acidic fibroblast growth factor by glutamic acid led to a substantial loss of heparin binding, receptor binding, and biological-activity of the protein (Burgess et al., The Journal of Cell Biology, 111:2129-2138, 1990). In transforming growth factor alpha, replacement of aspartic acid at position 47 with alanine, or asparagine did not affect biological activity while replacement with serine or glutamic acid sharply reduced the biologic activity of the mitogen (Lazar et al., Molecular and Cellular Biology, 8(3): 1247-1252, 1988). These references demonstrate that even a single amino acid substitution or what appears to be an inconsequential chemical modification, will often dramatically affect the biological activity of a protein. Proteins with replacement of single amino acid residues may lead to both structural and functional changes in biological activity and immunological recognition. For example, Jobling et al. (Mol. Microbiol. 1991, 5(7): 1755-67 teaches a panel of single amino acid substitutions by oligonucleotide directed mutagenesis which produces proteins that differ in native conformation, immunological recognition, binding and toxicity, thus exemplifying the importance of structural

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components to both biological function and immunological recognition. Thus, it is apparent that change in a peptide can lead to loss of binding property of that peptide.

The specification provides no working examples demonstrating (i.e., guidance) enablement for antibodies that bind to an isolated polypeptide variant comprising a sequence having 95% sequence identity to SEQ.ID.NO: 1 or 2 or fragments/variants of SEQ.ID.NO: 1 or 2 for diagnosing all Chlamydial infections using said broadly claimed fragments/variants of SEQ.ID.NO: 1 or 2. Furthermore, it is unclear whether isolated polypeptide variants can be used for identifying all Chlamydia infections. Thus, the broadly claimed antibodies that bind to variants of SEQ.ID.NO: 1 or 2 must be considered highly unpredictable, requiring a specific demonstration of efficacy on a case-by-case basis. Therefore, the skilled artisan would not be able to use such broadly claimed fragments/variants. In view of the unpredictability of the art, the lack of teachings of the specification, it would require undue experimentation on the part of the skilled artisan to make and use the invention commensurate in scope with these claims.

Claim Rejections - 35 USC 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 26 -27 are rejected under 35 U.S.C. 102(b) as being anticipated by Caldwell et al., Infection and Immunity, 31(3): 1161-76, 1981 (IDS) as evidenced by Mygind et al., FEMS Microbiol. Ltrs, 186:163-169, 2000, ATCC accession No. VR-902B Chlamydia trachomatis (Busacca) Rake, Lymphogranuloma venereum (LGV II) strain 434 ^{or} ~~and~~ Pal et al., Infection and Immunity Aug., 1997, 65(8): 3361 indicates serovar Mopn strain and NiggII are cross reactive with trachomatis.

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Caldwell et al., disclose antibodies specifically binding to isolated Chlamydial outer membrane complexes (COMC) of *C. trachomatis* serovar (see page 1163 right column through 1164, left column and Table 1). The COMC preparations are as isolated and analyzed via SDS-PAGE procedures (i.e., isolated, see in particular pp. 1162-1163) by Sarkosyl extraction of intact elementary bodies and Figs 2, 3, 5 and 8 showing full length or fragment components (smaller molecular weights) of COMC preparation with molecular weight of approximately 105-109kDa or less as determined by SDS-PAGE, see in particular Figure 2 and p. 1164, column 1, lines 38-39 and Figure 8. However as evidenced via Mygind, instant PmP peptide of the claims is present in the *C. trachomatis* L2 LGV2/434/Bu strain within the outer membrane complex bearing the same molecular weight on SDS-PAGE gel using identical preparation procedures for preparing COMC's from elementary bodies via sarcosyl extraction and analysis via SDS-PAGE as disclosed in the specification and noted on the SDS-PAGE gel at MW 105-110kD.

Characteristics such polypeptide encoded by a nucleic acid sequence SEQ.ID.NO: 1 or polypeptide comprising amino acid sequence SEQ.ID.NO: 2 are considered the inherent properties of said high molecular weight protein. These polypeptides are immunogenic as evidenced via the immunoreactive antisera to outer membrane protein complex proteins. The disclosed antibodies meet the limitations of claim 26. Since the specification or the claims recite the structural characteristics of the claimed monoclonal antibody in claim 27, the same disclosed antibodies also read on the claimed invention although made by different process as polyclonal antibodies contain several monospecific antibodies. Since the Office does not have the facilities for examining and comparing applicants' antibodies and antibodies of the prior art, the burden is on applicant to show a novel or unobvious difference between the claimed antibody and the prior art antibody. See *In re Best*, 562 F.2d 1252, 195 USPQ 430

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(CCPA 1977) and In re Fitzgerald et al., 205 USPQ 594.

Status of Claims

15. No claims are allowed.

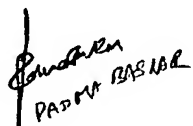
Conclusion

16. Papers related to this application may be submitted to Group 1600, AU 1645 by facsimile transmission. Papers should be transmitted via the PTO Fax Center, which receives transmissions 24 hours a day and 7 days a week. The transmission of such papers by facsimile must conform to the notice published in the Official Gazette, 1096 OG 30, November 15, 1989. The Right Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PMR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PMR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Padma Baskar Ph.D., whose telephone number is ((571) 272-0853. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday to Friday from 6.30 a.m. to 4.00 p.m. except First Friday of each bi-week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette Smith can be reached on (571) 272-0864. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600.


PADMA BASKAR


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